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June 15, 2006

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VIA FACSIMILE AND U.S. MAIL

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John F. Hornick, Esq.
Margaret Esquenet, Esq.
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901 New York Avenue, N.W.
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Re: ConnectU v. Zuckerberg, et. al.

Dear Meredith, John and Margaret:

We received Meredith's letter earlier today relating to the previously noticed depositions of Cameron Winklevoss and Tyler Winklevoss.

Facebook continues to maintain that the issuance of a subpoena is not required to compel the appearance of Messrs. Winklevoss for deposition. Your contention that they are not parties to the above-mentioned lawsuit ignores the fact that they are counter-defendants, *i.e.*, parties to this lawsuit. Even if your assertion were correct that they are not plaintiffs, a proposition with which Facebook disagrees, they are parties nonetheless, because they are counter-defendants. As a result, a Notice of Deposition is sufficient to compel their appearance. I also note that your response lacks candor, inasmuch as you also have refused to produce ConnectU, the *plaintiff*, for a properly noticed 30(b)(6) deposition, which Facebook noticed for today. In addition, your insistence that Facebook noticed Messrs. Winklevoss's depositions for seven hours each is equally incorrect. A review of each original Notice of Deposition, Amended Notice of Deposition, and subpoenae makes clear that the depositions were noticed for only four hours each.

Messrs. Winklevoss's unequivocal refusal to appear in response to properly served Notices of Deposition leaves Facebook no choice but to raise this issue with the Court. Facebook will file a motion to strike Messrs. Winklevoss's declarations. Accordingly, please provide me with a time that you are available on Monday, June 19, 2006, to meet and confer regarding Facebook's impending motion.

Facebook also requested that you identify any witnesses, in addition to Messrs. Zuckerberg and Narendra (who the Court ordered to appear), who ConnectU intends to (or may) call at the June 22, 2006, hearing. To date, we have received no response from you on this issue. As a result, Facebook

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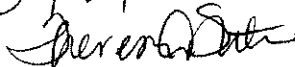
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also will file a motion to strike any testimony from any such additional witnesses. We can meet and confer regarding this issue on Monday, as well.

To the extent Meredith's letter contains any points to which I have not specifically responded herein, please assume that Facebook disagrees with ConnectU's position on such points.

I look forward to speaking with you on Monday.

Very truly yours,


G. Hopkins Guy 

cc: Troy E. Grabow, Esq. (via email)
Kenneth Curtis, Esq. (via email)
Pat Hart, Esq. (via email)
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